

ORDINANCE NO. 45-956

AN ORDINANCE AMENDING SECTION 11.16.100 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO DUTY OF A DRIVER UPON APPROACH OF AN AUTHORIZED EMERGENCY VEHICLE, AND REPEAL OF THE ORIGINAL SECTION 11.16.100.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. 11.16.100 shall read as follows:

(a) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of Sections 11.60.165, 11.60.200, and 11.60.230(d), of this title, and amendments thereto, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall do the following unless otherwise directed by a police officer:

- (1) Yield the right-of-way;
- (2) immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection; and
- (3) stop and remain in such position until the authorized emergency vehicle has passed.

(b) The driver of a motor vehicle upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is making use of visual signals meeting the requirements of Sections 11.60.155(d) and 11.60.165 of this title, and amendments thereto, shall do either of

the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized emergency vehicle; or

(2) if the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather and traffic conditions.

(c) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

Section 2. The original of Section 11.16.100 of the Code of the city of Wichita, Kansas, is hereby repealed.

Section 3. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 16th Day of December, 2003.

Carlos Mayans, Mayor

ATTEST:

Karen Schofield, City Clerk

Approved as to Form:

Gary Rebenstorf
Director of Law